

**REMARKS**

I. STATUS OF THE CLAIMS

Claims 8, 10 and 24-53 are currently pending. Of these, claims 40-47 are allowed, and claims 27, 28, 31, 32, 35 and 36 are "objected to".

III. DOUBLE PATENTING REJECTION

A Terminal Disclaimer is filed concurrently herewith, to thereby overcome the double patenting rejection.

IV. IDS

Two separate IDSs were filed on July 14, 2004. One of the IDSs was acknowledged by the Examiner, but the other IDS was not acknowledged.

Attached is a copy of the unacknowledged IDS, and a copy of the USPTO filing receipt for the IDS. It is respectfully requested that the Examiner acknowledge the IDS.

V. CONCLUSION

In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

If any further fees are required in connection with the filing of this response, please charge such fees to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date:

April 7, 2005

By:

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Please Date Stamp and return

IDS, Form PTO 1449 & Copies of references cited therein, Check \$180.00 (IDS FEE) ✓

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APPLICANT(S): Hideyuki MIYATA, et al.

SERIAL NO: 09/495,715

CONFIRMATION NO. 5208

TITLE: OPTICAL COMMUNICATION APPARATUS AND OPTICAL ADD/DROP APPARATUS

FILING DATE: February 1, 2000

DOCKET NO: 1460.1003/PIK:mbs

DUE DATE: August 21, 2004

